

ITEM NO. 14

APRIL 15, 2005

ERRATA SHEET

APPEAL TO THE REGIONAL BOARD FOR AN EXEMPTION FROM THE MINIMUM
LOT SIZE REQUIREMENT BASED ON THE USE OF AN ALTERNATIVE DISPOSAL
SYSTEM

FOR

DAVID AND ROBERTA VELASQUEZ
6562 EGGLESTONE PLACE, RANCHO CUCAMONGA
SAN BERNARDINO COUNTY, APN 0227-821-24

(Language added is **bolded and highlighted**)

(Language deleted is ~~struck~~ out)

RECOMMENDATION:

Approve Mr. and Mrs. Velasquez' request for an exemption from the minimum lot size requirements for the use of an alternative disposal system with the following stipulations: 1) Mr. and Mrs. Velasquez shall obtain prior approval by the City of Rancho Cucamonga for installation of the alternative system and shall fulfill maintenance, monitoring, **and** any necessary corrective action, **and other** requirements identified by the City; 2) Mr. and Mrs. Velasquez shall enter into an agreement with a qualified engineer for the operation and maintenance of the alternative system. A copy of this agreement shall be submitted to the Regional Board, and 3) Mr. and Mrs. Velasquez shall conduct quarterly sampling for one year to determine the nitrate (as N) concentration in the effluent and submit those analyses to the Regional Board office within 30 days after such sampling and analysis has occurred.

California Regional Water Quality Control Board
Santa Ana Region

STAFF REPORT

April 15, 2005

ITEM: 14

SUBJECT: Use of an Alternative Disposal System as Basis for an Exemption from the Minimum Lot Size Requirement for the Use of an On-site Septic Tank-Subsurface Disposal System – David and Roberta Velasquez, 6562 Egglestone Place, Rancho Cucamonga, San Bernardino County, APN 0227-821-24

DISCUSSION:

On February 15, 2005, Roberta Velasquez contacted staff requesting approval for the use of a second septic tank-subsurface disposal system to serve a proposed 1-bedroom house at the above-referenced site. The property is under one-half acre in size (15,132-sq. ft. or 0.35 acre net) and there exists a 3-bedroom, 2-bath house on the lot. Mr. and Mrs. Velasquez reside in the house. Domestic waste from the residence is discharged to an existing 1000 gallon septic tank-subsurface disposal system. This area of the City is unsewered and on-site septic tank-subsurface disposal systems are utilized for disposal of domestic wastes. The Velasquez's' proposed second dwelling unit would be a freestanding structure. As such, the project as a whole (the existing house and second home) must be considered a "new" development and the one-half acre minimum lot size requirement would apply. To satisfy the MLSRs, the existing house and proposed second home would each require one half-acre minimum lot size. Mr. and Mrs. Velasquez's lot is under one-half acre in size. With a density of 0.175 acres per dwelling unit, Mr. and Mrs. Velasquez's proposal does not comply with the Board's minimum lot size requirements. Accordingly, Board staff denied Mr. and Mrs. Velasquez's request for an exemption from the minimum lot size requirements.

On February 23, 2005, Mr. and Mrs. Velasquez revised their plans and are now proposing to construct a second dwelling unit on the lot and install an alternative subsurface disposal system. The alternative disposal system would serve the existing house and the new proposed second dwelling. The system being proposed is an ETL Testing Laboratory and National Sanitation Foundation (NSF) listed aeration type activated sludge treatment system called "retroFAST 0.375", which is designed to treat up to 375 gallons per day of residential wastewater. Installing the retroFAST 0.375 would involve modifications to the existing 1,000-gallon septic tank system. The domestic waste from the second dwelling unit would be discharged into a 500-gallon septic tank. Effluent wastewater from the 500-gallon septic tank would be discharged into the modified 1000-gallon septic tank. Effluent discharges from the modified 1000-gallon septic tank would be discharged to a seepage pit.

On October 13, 1989, the Regional Board adopted a Basin Plan amendment that requires new developments for which on-site subsurface disposal system use is proposed to have a minimum of one-half acre of land per dwelling unit. The Board found that it was necessary to limit the density of new subsurface disposal systems to control the nitrate quality problems found in the groundwaters of the Region. In adopting the minimum lot size requirements, the Board stipulated that the use of an alternative treatment for sewage disposal may be proposed as the basis for an exemption. Each such request must be reviewed on a case-by-case basis and submitted to the Regional Board for consideration.

According to materials provided to Board staff by Mr. and Mrs. Velasquez and the manufacturer, the proposed "retroFAST 0.375 alternative system is designed to provide advanced treatment of wastewater, including clarification, aeration, nitrification/de-nitrification and activated sludge. The documentation submitted indicates a total nitrogen reduction of approximately 70 percent. The product water will be discharged to an existing seepage pit. Mr. and Mrs. Velasquez propose to enter into a maintenance agreement with a qualified engineer for the operation of this alternative system. In addition, Mr. and Mrs. Velasquez have also agreed to conduct quarterly monitoring of the system for nitrates. Mr. and Mrs. Velasquez will be required to obtain an annual permit for the operation of the alternative system from the City of Rancho Cucamonga. It is staff's understanding that if the City approves the system, the City would inspect the system annually to determine whether the alternative system is operating as required. Mr. and Mrs. Velasquez have requested the City's approval for this alternative system but, to date, the City has not replied to their request.

It should also be noted that should the alternative disposal system not operate as required, Mr. and Mrs. Velasquez will eliminate the alternative system and will implement an acceptable offset so that the second unit dwelling could remain on their property.

RECOMMENDATION:

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Comments were solicited from the following agencies:

State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
San Bernardino County Environmental Health Services – Ray Britain
City of Rancho Cucamonga, Building and Safety – Trang Huynh